

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

ALEXANDER R. DEANDA,

Plaintiff,

v.

ALEX M. AZAR II, in his official capacity as
Secretary of Health and Human Services;
DIANE FOLEY, in her official capacity as
Deputy Assistant Secretary for Population
Affairs; UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 2:20-cv-92-Z

**DEFENDANTS' MOTION TO DISMISS FOR LACK OF JURISDICTION AND
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED**

Defendants hereby move to dismiss for lack of jurisdiction and failure to state a claim upon which relief can be granted. Fed. R. Civ. P. 12(b)(1) & (6). Pursuant to Local Civil Rule 7.1, Defendants are separately submitting a brief in support of this motion.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

MICHELLE BENNETT
Assistant Branch Director

/s/ Amber Richer
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2020, I electronically transmitted the foregoing to the parties and the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court.

/s/ Amber Richer

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